

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BENJAMIN SAMUEL RICH :

Plaintiff, : ORDER

-v.- :

21 Civ. 3835 (AT) (GWG)

STATE OF NEW YORK et al., :

Defendants. :


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GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

Briefing is complete on the defendants' motion for summary judgment without defendants having filed a reply. The Court notes, however, that plaintiff's opposition to the motion for summary judgment (undated but filed on August 2, 2023) is improper because it is replete with factual statements that have not been set out in a declaration that complies with 28 U.S.C. § 1746 (or in a statement sworn before a notary). The Court will grant plaintiff leave to correct this error by filing a declaration or affidavit on or before September 22, 2023. If plaintiff files such a declaration or affidavit, any reply may be filed by October 6, 2023.

SO ORDERED.

Dated: August 31, 2023
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge